#15 3632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert J. Monson and Allen L. Arndt	Attorney file	5360
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For:	USER COUPLED WORKSPACE SHOCK ISOLATION SYSTEM		

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Carl L. Johnson

May 6, 2003

Honorable Commissioner of Patents and Trademarks
Washington D. C. 20231

Sir:

REMARKS

The applicant has received and reviewed the office action of February 19, 2003 wherein the office stated that dependent claims 11-14 contain allowable subject matter. The office rejected independent claim 8 and dependent claims 9, 15, 16 and 17 as being anticipated by Gyllner under 35 U.S.C. 102. Claims 10 was rejected as being unpatentable over Gyllner in view of U.S. patent 4,392,546 to Brown et al. under 35 U.S.C. 103.

Reconsideration of the rejected independent claim 8 and dependent claims 9, 15, 16 and 17 is requested.

In the office action, the office stated that:

> Gyllner discloses a shock-isolation system (figure 1) including a unitary platform (32) with an operator station (18) thereon, a support structure (14), a first mounting member (66) and a shock mount (56). The shock mount is located between the support structure and the unitary platform."

A review of Gyllner patent reveals that on one end of his operator station he has a pair of pivot joints 38 (Figure 3) that fixedly maintain and support the first end of his "operator's station 18". The pivot joints 38 provide for pivotal movement about a transverse axis 42 (see Figure 3 and column 3 lines 49-52) "

On the other end of the Gyllner operator station, what the office refers to as a mounting member 66 in Gyllner is actually a "stop". Gyllner points out in column 4 lines 35-36 that the stop 66 "limits the amount of pivotal movement" of the other end of his operator station. Since the Gyllner stop is for the purpose of limiting the pivotal movement of one end his operator station it is not a "mounting member for rigidly securing a console to said unitary platform" (emphasis added) as called out for in independent claim 8.

While the aforedescribed purpose of the Gyllner "stop" and applicants "mounting member" provide different functions, attention is called to the location of the "stop" of Gyllner which is located on his "frame 14" and not on his operator station 18. In contrast to Gyllner, claim 8 points out that applicant's "mounting member" is for "rigidly securing a console to said unitary platform" and therefore could not be on the applicant's support structure since the applicant's support structure and the unitary platform are free to move relative to one another.

It is noted that Gyllner provides support for the second end of his operator station through the use of two coil springs 62 which suspend the second end of his operate station. (column 4 lines 11-12). Gyllner includes linear shock absorbers 54 to dampen the movement of his operator station. Thus, the Gyllner operator station is restrained from translational motion by pivot joints 38. Because the pivot joints restraint the Gyllner station from translational motion it is clear that the Gyllner operator station is not free to "remain

spatially fixed to isolate the unitary platform from the effects of high "g" shock" as pointed out in claim 8.

A review of claim 8 points out that the "sole support for the unitary platform is the shock mount". It is clear that the support for the Gyllner operator station is a collage of four different elements with each performing a different function. That is, the first elements in the Gyllner operator station are his two pivot joints 38 that pivotally support one end of his operator station. The second elements are his two coil springs 62 that support the other end of his operator station. The third elements are two stops 66 for the purpose of limiting the pivotal motion of is operator station. The fourth elements are his shock absorbers 56 for the purpose of damping the pivotal motion of his operator station. Thus, it is submitted that Gyllner does not show that the sole support is a shock mount since Gyllner discloses a multitude of different elements to support his operator station.

Claim 8 goes on to point out that the operator station is "free to remain spatially fixed". It is submitted that if one end of the operator station of Gyllner is secured by a pivot joint it cannot remain spatially fixed but must follow the motion of his frame 14.

Accordingly, it is submitted that claim 8 is allowable over Gyllner.

In regard to claim 10, which was rejected on the combination of Gyllner and Brown under 35 U.S. C. 103, because "Brown et al. teaches the unitary platform (40) comprising a foot deck (56)" it is submitted that the rejection is in error. It is submitted, that because the Gyllner reference fails to disclose the elements of independent claim 8 that the rejection on the combination of Gyllner and Brown must also fail.

Although it is submitted that the rejection on the combination of Brown and Gyllner is in error applicant notes that claim 10 points out "the unitary platform includes a foot deck for an operator". The office states the "Gyllner teaches the unitary platform but fails to teach the platform comprises a foot deck for an operator". The office then went on to state that "Brown et al. teaches the unitary platform (40) comprising a foot deck (56)". It is submitted that the Brown patent does not teach a unitary platform that includes a foot deck for an operator, instead the foot deck (56) referred to by the office is actually the inclined part of his subfloor 40. It is submitted that an inclined part of Brown is not a foot deck but an angled wall of his device. What Brown does discloses for a user's feet are "foot pedals 96" for an operator who sits on seat 102. Note, the "steering column assembly 62" of Brown is so configured that a person cannot stand upright but must sit on the seat 102 (see Figure 3 where the steering wheel extends up to the seat). It is submitted that the Brown angled wall 56 is not a foot deck and further that his subfloor 40 is not a foot deck since the configuration of his operator station suggests that his subfloor is a connecting link for his "steering column assembly 62" rather than a foot deck for an operator to stand on.

Accordingly, it is submitted that independent claim 8 and dependent claims 9, 15, 16 and 17 are also allowable and a notice of allowance is respectfully requested.

Respectfully submitted,
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